

IN THE UNITED STATES DISTRICT COURT
FOR THE MIDDLE DISTRICT OF PENNSYLVANIA

FILED
SCRANTON

JIMMY A. SCHLIER, WRECKERS :
INT'L, INC. d/b/a SCHLIER'S :
TOWING & SERVICE CENTER, :
Plaintiffs, :
v. :
JOHN G. RICE, et al., :
Defendants. :

MAR 20 2008

PER *[Signature]*
DEPUTY CLERK

CIVIL ACTION NO. 04-CV-1863

(JUDGE CAPUTO)

SPECIAL VERDICT SLIP

(1) Have Plaintiffs shown by a preponderance of the evidence that either Defendant caused Wreckers International, Inc., to be removed from police towing referral lists?

(a) Major John G. Rice Yes No _____

(b) Lt. David Dougalas Yes No _____

Proceed to Question 2.

(2) Have Plaintiffs shown by a preponderance of the evidence that Lt. Dougalas caused Wreckers not to be reinstated to the lists after six (6) months of suspension?

Yes No _____

If you answered NO Question 1(a), Question 1(b) AND Question 2, proceed to Question 5.

If you answered YES to ANY of the questions above, proceed to Question 3.

(3) Have Plaintiffs shown by a preponderance of the evidence that Plaintiffs' protected activity was a motivating factor in a decision by either Defendant to remove Wreckers from the towing referral lists in August 2002?

(a) Major John G. Rice Yes X No _____

(b) Lt. David Dougalas Yes _____ No X

Proceed to Question 4.

(4) Have Plaintiffs shown by a preponderance of the evidence that Plaintiffs' protected activity was a motivating factor in a decision by Lt. Dougalas that caused Wreckers to not be reinstated to the lists after six (6) months of suspension?

Yes X No _____

Proceed to Question 5.

(5) Have Defendants shown by a preponderance of the evidence that they would have made the same decisions even if Plaintiffs' protected activity had played no role in their decisions?

(a) Major John G. Rice Yes _____ No X

(b) Lt. David Dougalas Yes _____ No X

If you answered NO in Question 5 with regard to either Defendant, proceed to Question 6. If you answered YES for both Defendants, proceed to the end to sign and date the Special Verdict Slip.

(6) Please state the amount, if any, that will fairly compensate each Plaintiff for any injury actually sustained as a result of the Defendants' conduct. (If you find that Plaintiffs have failed to show they suffered actual damages, you must award \$1.00 as nominal damages.)

(a) Jimmy Schlier \$ 2.25 million (Fill in Dollar Figure)

(b) Wreckers International, Inc. \$ 1.0 million (Fill in Dollar Figure)

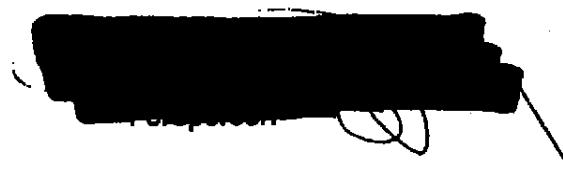
Proceed to Question 7.

(7) Do you award punitive damages against either of the Defendants? If so, how much do you award?

(a) Major John G. Rice \$ 0 (Fill in Dollar Figure)

(b) Lt. David Dougalas \$ 0 (Fill in Dollar Figure)

3-20-08
Date

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